

REMARKS

Claims 1-15 are pending. By this Amendment, claims 1, 8 and 9 are amended and claim 15 is added. Claim 8 is amended to correct a typographical error. Support for the amendments to claims 1 and 9 may be found, for example, on p. 15, line 19 - p. 16, line 2. Support for new claim 15 may be found, for example, on p. 8, lines 11-13. No new matter is added.

Applicant appreciates the Office Action's indication that claims 8, 12 and 13 are directed to allowable subject matter. However, Applicant respectfully submits that all of the pending claims 1-14 are allowable for the reasons discussed below.

The Office Action rejects claims 1, 4, 6, 7, 9 and 11 under 35 U.S.C. §102(b) over Tate (U.S. 4,105,302); claim 3 under 35 U.S.C. §103(a) over Tate in view of Kohayakawa (U.S. 5,237,351); claim 5 under 35 U.S.C. §103(a) over Tate in view of Balliet (U.S. 4,408,846); and claims 2, 10 and 14 under 35 U.S.C. §103(a) over Tate. These rejections are respectfully traversed.

The Office Action asserts that Tate discloses a display control device which changes a size of the figure displayed on the target in proportion to a distance between the target and the eyepieces part. However, Applicant respectfully submits that Tate does not disclose or suggest a display control device which changes a size of the figure displayed on the target continuously while the target moves, as recited in claim 1 and similarly recited in claim 9.

In col. 10, lines 25-65, Tate discloses that the position of the screen 202 may be mechanically interlocked with either or both the zoom and focus mechanism of lens system 216 of projector 204 so that a size of the image is kept constant "between the two power settings". However, Tate only discloses keeping the size constant between these two points because the system in Tate is directed to measuring the refractive error of a person's eye and not to improving eyesight. In order to measure this error, the system in Tate need only

display the symbol 206 at two different positions, corresponding to two different refractive powers.

For example, Tate does not disclose that the system keeps projecting during the movements of the test screen 202. Furthermore, Tate does not disclose that the cam system mentioned in col. 10, lines 63 and 66 works in a continuous, as opposed to a discrete or stepwise fashion. In fact, Tate only mentions the cam system in these two lines, does not disclose them in the figures in any way, and discloses nothing about how the cam system might operate. Tate discloses none of these details because it is not directed to improving eyesight and has no need to change a size of the figure displayed on the target continuously while the target moves, as recited in claim 1 and similarly recited in claim 9. Accordingly, Tate does not disclose or suggest the subject matter recited in claims 1 and 9.

The Office Action asserts that Kohayakawa discloses an electric display which displays the figure visually seen from the eyepiece part and that Balliet discloses the driving device can change the movement speed of the target stepwise. However, Kohayakawa and Balliet are silent regarding a display control device which changes a size of the figure displayed on the target continuously while the target moves and therefore do not supply the subject matter missing from Tate.

For the reasons discussed above, Tate, Kohayakawa and Balliet, individually or in combination, do not disclose the subject matter recited in claims 1 and 9. Claims 1-8 and 10-14 ultimately depend from claim 1. Thus, Tate, Kohayakawa and Balliet, individually or in combination, do not disclose or suggest the subject matter recited in claims 1-14. Withdrawal of the rejections of these claims 35 U.S.C. §102(b) and/or 35 U.S.C. §103(a) is respectfully solicited.

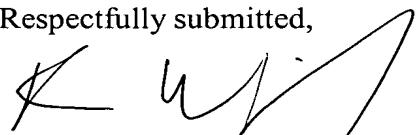
New claim 15 is allowable for the reason that it depends from claim 1 (which is allowable for the reasons discussed above) and also because it recites that "the sight

improving device does not include an optical magnification or reduction device." The system in Tate includes multiple devices for optical magnifying and/or reduction such as the variable crossed cylinders 116 and the fixed lens 214. Thus, Tate does not disclose or suggest the subject matter recited in claim 15. Accordingly, Applicant respectfully submits that claim 15 is directed to allowable subject matter.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Kipman T. Werking
Registration No. 60,187

JAO:KTW/eks

Attachment:

Request for Continued Examination

Date: January 18, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--